



UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE

Paper No: 18

CALFEE HALTER & GRISWOLD, LLP
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CLEVELAND, OH 44114

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DEC 09 2003

In re Application of
Amitava Guha, et al.
Application No. 09/387,894
Filed: September 1, 1999
Attorney Docket No. 20721/04404

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Director's Office
Office of Patent Publication

DECISION ON PETITION

This is a decision on the Petition Under C.F.R. § 1.181 To Withdraw Erroneous Holding Of Abandonment, received in the United States Patent and Trademark Office (USPTO) on June 5, 2003.

The petition is **DISMISSED**. Any request for reconsideration of this decision, or as explained below, filing a petition seeking revival under 37 CFR § 1.137, must be filed within TWO MONTHS (2) from the mail date of this decision.

The application was held abandoned for failure to timely respond to the Notice To File Corrected Application Papers (copy attached herewith) mailed on March 11, 2003, which set a two months time period to reply. However, the Notice of Abandonment indicated that the application was abandoned for failure to timely file new formal drawings as required in the Notice of Allowability.

The Office has no record of any form of response to the Notice To File Corrected Application Papers; therefore, the application was properly abandoned.

Although this petition for withdrawal of the holding of abandonment is being dismissed, further petition remedies are available for bringing about the withdrawal of the holding of abandonment.

Case Number	Ctry	Sub Case	Action Due	Due Date
2072104404	US		REQ RECONSIDERATION	09-Jan-2004
			REQ RECONSIDERATION	09-Feb-2004
Action Type:	REQ RECONSIDERATION			

DOCKETED

DEC 11 2003

T.L.B. IP. Dept.

RECEIVED

DEC 11 2003

DBC IP. DEPT.

Verified

File a petition for Revival of Abandoned Application under CFR § 1.137 (a) or (b). (Forms are available at USPTO website <http://www.uspto.gov>)

- Under 37 CFR 1.137(a), a petition for the revival of an *unavoidably* abandoned application must be accompanied by the following:

- (1) The required reply to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee set forth in § 1.17(l);
- (3) A showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unavoidable; and
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d) required pursuant to paragraph (c) of this section.

With respect to an application filed before June 8, 1995, any petition under § 1.137(a) or (b) that is filed more than six months after the abandonment date must—according to § 1.137(d)—be accompanied by a terminal disclaimer with disclaimer fee.

- Under 37 CFR 1.137(b), a petition for the revival of an *unintentionally* abandoned application must be accompanied by the following:

- (1) The required reply to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d) required pursuant to paragraph (c) of this section.

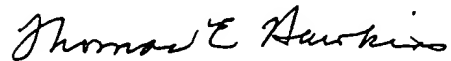
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, Va 22313-1450

By facsimile: 703-308-6916
 Attn.: Office of Petitions

By hand: Crystal Plaza Four, Rm. 3C23
 2201 South Park Place
 Arlington, VA

Telephone inquiries relating to this matter may be directed to the undersigned in the Office of Patent Publication at 703-305-8380.

A handwritten signature in cursive script that reads "Thomas E. Hawkins".

Thomas E. Hawkins
Paralegal Specialist
Office of the Director
Office of Patent Publication



#15

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Serial No. : 09/387,894
Applicant : AMITAVA
Filing Date : 09/01/1999
Date Mailed : 03/11/2003

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- **PLEASE SUBMIT A NEW BRIEF DESCRIPTION FOR FIGURE 4**

A copy of this notice MUST be returned with the reply. Please address response to "Box Issue Fee".

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